

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: JANUARY 8, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: TMP-31945 - APPLICANT/OWNER: HARMONY 2, LLC AND FARM HUALAPAI, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION:

APPROVAL, subject to:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4368), Vacation (VAC-4420) and Site Development Plan Review (SDR-29026) shall be required, if approved.
3. Any property line wall shall be decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above finished grade.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to

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provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

7. The plan shall note that the recreational trail to be transferred to the ownership of the City of Las Vegas shall be maintained at a basic level through utilization of public resources. The basic level to be defined as removal of debris and surface grading once every calendar year. Should additional maintenance activities be requested by the common interest community, or members thereof, the associated costs shall be assessed to the common interest community and/or members thereof.
8. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

9. The Final Map for this site shall be labeled as a "Merger and Re-Subdivision".
10. The onsite streets shall be labeled as private, be designated as a common lot and shall be labeled as a private street, public utility easement (P.U.E.), public sewer easement and public drainage easement to be privately maintained by the Homeowners' Association on the Final Map for this site.
11. Site development to comply with all applicable conditions of approval for Site Development Plan Review SDR-29026, Zoning Reclassification ZON-4368 and all other subsequent site-related actions.
12. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Tentative Map for a proposed 70-lot single-family residential development on 10.52 acres. The site plan illustrates a total of 70 lots with 31 lots consisting of a minimum lot size of 3,312 square feet and 39 lots consisting of a minimum lot size of 3,404 square feet. The lots access private streets, which in turn access Hualapai Way.

The submitted Tentative Map is in conformance with to the approved Site Development Plan Review (SDR-29026); therefore, Staff recommends approval.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/08/02	The City Council approved a Petition to Annex (A-0035-02) parcels of land generally located adjacent to the southeast corner of Grand Teton Drive and Puli Road, containing approximately 1,187 acres
09/15/04	The City Council approved a Rezoning (ZON-4368) to R-PD7 (Residential Planned Development – 7 Units per Acre), a Site Development Plan Review (SDR-4370) for a 68-lot single-family development and a Vacation (VAC-4420) of U. S. Government Patent Easements and the Donald Nelson Avenue Right of Way, with a condition modifying the lot number to 69. The Planning Commission and staff recommended approval on.
11/07/04	The Planning Commission approved the Request for a Tentative Map (TMP-4920) for a 69-lot single-family residential subdivision on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way.
11/19/04	The City Council approved a Review of Condition (ROC-5445) Number 5 of an approved Site Development Plan Review (SDR-4370) to allow a 5-foot side yard setback where 10 feet is the minimum setback required for lots that have a side property line adjacent to Hualapai Way (Lots 3, 4, 9, 10, 15 and 16 on the approved site plan) for an approved 69-lot Single-Family development on 10.52 acres adjacent to the northwest corner of Farm Road and Hualapai Way. The Planning Commission and staff recommended approval.
11/03/05	Staff administratively approved an Extension of Time (EOT-9361) of an approved Vacation (VAC-4420) of U. S. Government Patent Easements and the Donald Nelson Avenue Right of Way, generally located west of Hualapai Way, north of Farm Road

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08/04/06	A Final Map (FMP-10106) was recorded for a 69-lot Single-Family Residential subdivision on 10.00 acres adjacent to the northwest corner of Farm Road and Hualapai Way.
10/15/08	The City Council approved a request for a Site Development Plan Review (SDR-29026) for a 70-lot residential subdivision on a 10.52 acre site on the east side of Tonkinese Avenue and Hualapai Way. The Planning Commission recommended approval and staff recommended denial.
10/15/08	The City Council approved a request for a Variance (VAR-29028) to allow 43,996 square feet of open space where 50,094 feet are required on a 10.52 acre site on the east side of Tonkinese Avenue and Hualapai Way. The Planning Commission recommended approval and staff recommended denial.
<i>Related Building Permits/Business Licenses</i>	
07/25/08	A business license (#C11-10826) was issued for a contractor at 7651 Anatolian Street.
<i>Pre-Application Meeting</i>	
11/05/08	A pre-application meeting was held with the applicant. The public works department discussed the requirements for a Tentative Map application.
<i>Field Check</i>	
12/04/08	Staff conducted a field check of the subject site and found site grading complete and model homes under construction. Perimeter walls were composed of 20% contrasting material but were in an unfinished condition with exposed CMU block, which does not meet Title 19.12.075 (G) Wall Standards requiring a perimeter wall to be composed of a minimum of 20% contrasting material. As staff found no record of a building permit for the walls on the site, the matter has been referred to code enforcement.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	10.52

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community Development)	R-PD7 (Residential Planned Development – 7 Units per Acre)
North	Single-Family Residences, Undeveloped	PCD (Planned Community Development)	PD (Planned Development) Zone [ML (Medium Low Density Residential) Cliff's Edge Special Land Use Designation]

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South	Single-Family Residences, Undeveloped	PCD (Planned Community Development)	PD (Planned Development) Zone [RSL (Residential Small Lot) Cliff's Edge Special Land Use Designation]
East	Single-Family Residences, Park	PCD (Planned Community Development) and PR-OS (Parks/Recreation/Open Space)	PD (Planned Development) Zone [ML (Medium Low Density Residential) Cliff's Edge Special Land Use Designation] and C-V (Civic)
West	Single-Family Residences, Undeveloped	PCD (Planned Community Development)	PD (Planned Development) Zone [ML (Medium Low Density Residential) Cliff's Edge Special Land Use Designation]

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails	X		Y*
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

**A Multi-use Transportation Trail exists along the west side of Hualapai Way.*

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

<i>Standard</i>	<i>Proposed *</i>
Min. Lot Size	3,312 Square Feet
Min. Lot Width	46 Feet

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Min. Setbacks <ul style="list-style-type: none"> • Front (to Garage) • Side • Corner • Rear • Rear (lots backing Farm Road) • Rear (lots backing residential to the west) 	18 Feet 5 Feet 10 Feet 5 Feet 10 Feet 10 Feet
Max. Lot Coverage	N/A
Max. Building Height	2 Stories/35 Feet

**Pursuant to Title 19.08.040 (C)(4), the development standards for a project shall be established by the approval of an R-PD District and the approved Site Development Plan as described in Subchapter 19.18.050. Development standards shall include minimum front, side and rear setbacks, maximum building heights, wall and fence design and heights, parking standards, landscaping and other design and development criteria. Any future development will require review for determination of appropriate development standards.*

Pursuant to Title 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer: Min. Trees (Farm Road)	1 Tree/30 Linear Feet	9 Trees	20 Trees	Y*
Buffer: Min. Trees (Hualapai Way)	1 Tree/30 Linear Feet	32 Trees	70 Trees	Y**
TOTAL		41 Trees	90 Trees	Y*
Min. Zone Width	N/A (6 feet only required along streets classified Collector or larger)		25 feet	Y*
Wall Height	8 feet		8 feet	Y***

**A six-foot wide landscape buffer is required of all residential developments adjacent to streets classified as a collector or larger. The applicant has provided a 25-foot landscape buffer along Farm, which is classified as an 80-foot wide Secondary Collector by the Master Plan Streets and Highways.*

***A Multi-Use Transportation Trail is required adjacent to this site on Hualapai Way. The proposal adheres to Exhibit 1 of the Transportation Trails Element of the Las Vegas 2020 Master Plan.*

**** The existing perimeter walls provided do not meet Title 19.12.075(G) – Wall Standards requiring a wall to be composed of a minimum of twenty percent contrasting material.*

Pursuant to Title 19.06.040 (G), the following open space standards apply:

Open Space						
Total Acreage	Density	Required		Provided		Compliance
		Percent	Area	Percent	Area	
10.52 acres	6.65 du/ac	10.9%	50,094 SF	9.6%	43,996 SF	Y*

**A Variance (VAR-29028) for Open Space was approved in conjunction with the Site Development Plan Review (SDR-29026).*

ANALYSIS

This is a request for a Tentative Map for a proposed 70-lot Single-Family Residential development on 10.52 acres. The site plan illustrates 70 lots with 31 lots consisting of a minimum lot size of 3,312 square feet and 39 consisting of a minimum lot size of 3,404 square feet. The lots access private streets, which in turn access Hualapai Way.

A Multi-use Transportation Trail is required along the western portion of the Hualapai Way street frontage, as shown on Map 2 of the Transportation Trails Element of the Master Plan. That trail is complete as depicted on the approved civil improvement plans (CLV drawing #107Y4905). The trail consists of a five-foot transition strip, located within the right-of-way, and a ten-foot private landscaped corridor that are separated by a ten-foot public transportation trail path. The Multi-Use Transportation Trail consists of paved trail paths separated from the roadway and designed for the exclusive use of bicyclists, pedestrians, and other users of non-motorized vehicles.

The submitted Tentative Map conforms to the approved Site Development Plan Review (SDR-29026), therefore, Staff recommends approval.

FINDINGS

- General information

The site plan illustrates a total of 70 lots with 31 lots consisting of a minimum lot size of 3,312 square feet and 39 lots consisting of a minimum lot size of 3,404 square feet. There is one entry point to the development, a 58-foot wide gated driveway off of Hualapai Way. The proposed lot sizes, setbacks, and lot widths are generally compatible with the developments to the north, south, east and west.

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- **Cross Section**

The submitted plans indicate the site slopes from north to south and from west to east. The existing exterior walls provided do not meet Title 19.12.075(G) – Wall Standards requiring a wall to be composed of a minimum of 20% contrasting material. As building permits for the walls were not found by staff, the matter has been referred to code enforcement to verify building permits. A condition of approval has been added requiring compliance with Title 19.12.075(G) – Wall Standards.

- **Trails**

Per Title 18.08.100, all trails that are required in accordance with the City’s Master Plan and ordinances are indicated on the Tentative Map. A Multi-Use Transportation Trail runs along the western length of Hualapai Way on the eastern property line of the subject site, and has been constructed as required.

- **Special Conditions of Approval (from Zoning or SDR)**

In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP fund in the amount of \$24,392 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to the Land Development Division prior to approval of the final map otherwise the developer is required to comply with the opens space requirement in accordance with Title 19.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0